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April

APPLICATION GRANTED

SO ORDERED

VERNON S. BRODERICK

U.S.D.J. 4/10/23

BY ECF

Honorable Vernon S. Broderick
United States District Court
Southern District of New York
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, New York 10007

Re: *Terrence J. Poletti, et al. v. Pepsi-Cola Bottling Company of New York, Inc., et al*
Case no.: 21-cv-07603

Your Honor:

This office represents Plaintiffs in the above-named matter. This letter is submitted jointly pursuant to the Court's Order dated March 9, 2023, to respectfully request an adjournment to April 28, 2023, to make a submission under *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015). The original date for the submission is April 9, 2023. There have been no previous requests for adjournment. All parties consent to the adjournment. The reason for the adjournment is because the parties wish to provide a sufficiently specific account concerning the voluntary withdrawal of claims by the Plaintiff, Donna Magnussen as the Executor of the Estate of Richard Magnussen.

We thank the Court for the time and attention to this matter.

Respectfully submitted,

By: /s/ Clifford Tucker
Clifford Tucker, Esq.